

FORM PTO-1390
(REV. 12-97)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P-1459(0)

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/142557

INTERNATIONAL APPLICATION NO.
PCT/CA97/00172INTERNATIONAL FILING DATE
03/12/97PRIORITY DATE CLAIMED
03/14/96

TITLE OF INVENTION

METHODS FOR CELL MOBILIZATION USING IN VIVO TREATMENT WITH HYALURONAN (HA)

APPLICANT(S) FOR DO/EO/US

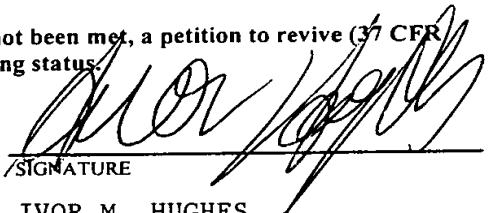
LINDA MAY PILARSKI

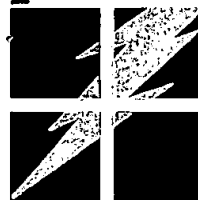
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/CA97/00172		ATTORNEY'S DOCKET NUMBER P-1459(0)																																																																													
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Search Report has been prepared by the EPO or JPO \$930.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$720.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1070.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY																																																																													
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 1,070.00																																																																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 15%;">\$</th> <th style="width: 15%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>71 - 20 =</td> <td>51</td> <td>x \$22.00</td> <td>\$ 1,122.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>27 - 3 =</td> <td>24</td> <td>x \$82.00</td> <td>\$ 1,968.00</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$270.00</td> <td>\$ 270.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"> Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$ 4,560.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">charged:</td> <td>\$</td> </tr> </tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total claims	71 - 20 =	51	x \$22.00	\$ 1,122.00		Independent claims	27 - 3 =	24	x \$82.00	\$ 1,968.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 270.00		TOTAL OF ABOVE CALCULATIONS =				\$		Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$		SUBTOTAL =				\$		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$		TOTAL FEES ENCLOSED =				\$ 4,560.00						Amount to be refunded:	\$					charged:	\$
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b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.																																																																																	
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.																																																																																	
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																																																																	
SEND ALL CORRESPONDENCE TO: HUGHES, ETIGSON 175 COMMERCE VALLEY DRIVE WEST SUITE 200 THORNHILL, ONTARIO CANADA L3T 7P6																																																																																	
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Our Ref.: P-1459(O)

September 10, 1998

VIA COURIER

The Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 South Clark Place
Crystal Plaza 2, Room 1B03
Arlington, Virginia 22202
U.S.A.

Dear Sir:

**Re: United States Patent Application
based on International Application
Number PCT/CA97/00172 filed on March 12, 1997
of Linda May Pilarski
for METHODS FOR CELL MOBILIZATION USING IN VIVO
TREATMENT WITH HYALURONAN (HA)
Due Date: September 14, 1998**

Enclosed herewith please find the following documentation for filing with the Commissioner:

- (a) Request Form PTO-1390 for National Entry into the United States of America,
- (b) Preliminary Amendment,
- (c) Combined Declaration for Patent Application and Power of Attorney of Linda May PILARSKI,
- (d) Information Disclosure Statement and Form PTO-1449,
- (e) Copy of Published International Application Number WO97/33592 published September 18, 1997, and International Search Report,
- (f) Notification of Transmittal of International Preliminary Examination Report dated July 7, 1998.

Barristers & Solicitors
Ivor M. Hughes
Joseph I. Etigson

Patent Agents
Neil H. Hughes, P. Eng.
Marcelo K. Sarkis, P. Eng.

Counsel
Alfred Schorr

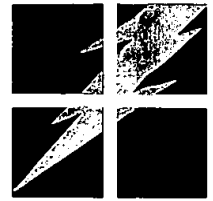
The Claims that stand in this U.S. National Phase Patent Application are Claims 94 and 101 to 170 inclusive.

Enclosed along with this material please find a cheque in the amount of **\$4,560.00 U.S. dollars**. This sum includes \$1,968.00 for 24 independent claims over and above the three allowed per application, \$1,122.00 for 51 claims over and above the twenty claims allowed per application, \$270.00 for multiple dependent claims fee, \$1,070.00 for neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO, and \$130.00 for furnishing the National fee or oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

**HUGHES
ETIGSON**
Barristers & Solicitors

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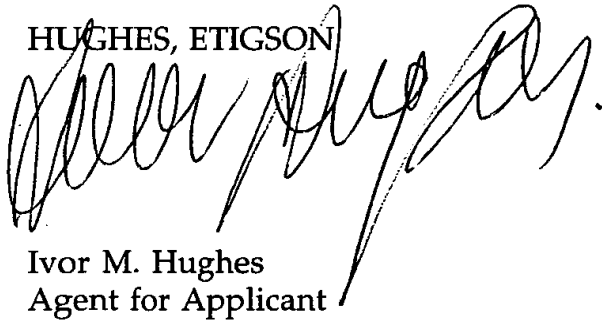


Also enclosed herewith is a stamped, self-addressed verification card which we request that you kindly acknowledge and return to this office at the earliest opportunity.

We thank the Commissioner for his cooperation in this regard and look forward to receiving filing data in this matter.

Respectfully submitted,

HUGHES, ETIGSON



Ivor M. Hughes
Agent for Applicant

IMH/mse
Enclosures